

STATE OF HAWAII

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**NOTICE OF AND REQUEST FOR EXEMPTION
FROM CHAPTER 103F, HRS**

STATE PROCUREMENT OFFICE
STATE OF HAWAII

To: **Chief Procurement Officer**

From: **Dept. of Defense**

Department/Division/Branch or Office

Pursuant to § 103F-101(a)(4), HRS, and Chapter 3-141, HAR, the Department requests a procurement exemption to purchase the following:

- | | |
|--|---|
| 1. Title and description of health and human service(s): CIVIC JUSTICE CORPS SERVING JUVENILE OFFENDERS Description - Provide COMMUNITY SERVICE projects for 18-24 y/o offenders to repair the harm that they may have caused to the community in which they expect to return. This community service work effort will offer them a chance to demonstrate accountability for their past actions, make reparations to the community, rebuild severed relationships, reestablish trust and foster a renewed sense of belonging. The other half of the program will provide JOB PREPARATION/placement, vocational training, and educational intervention to improve their skills and enhance their future educational and career development. | |
| 2. Provider Name and Address: | Paxen Huli Ke Alo, LLC 1001 Kamokila Blvd. Suite 136 Kapolei, HI 96707 |
| 3. Total Contract Funds: | \$1,122,788 |
| Contract Funds per Year (if applicable): | \$449,115 |
| 4. Reference number of Previous Request for this Service (if applicable): | |
| 5. Term of Contract: | Start: 7/1/11 End: 12/31/13 |
| 6. Describe how procurement by competitive means is either not practicable or not advantageous to the State: The DOD received word of its award on June 21, 2011 by the U.S. Dept. of Labor. Adequate time is not available to implement a proper RFI and RFP course of action. To carry out an RFP process at this time would severely handicap and limit program participation and the use of these monies for direct services by November 1, 2011, as mandated by the Feds. According to SPO guidelines and timetables, a reasonable effective date for a notice of award under a Competitive Purchase of Service is 6-9 months from now or December 1, 2011, at the earliest. | |
| 7. Describe the reason for the selection of the provider including a description of how the procedure ensured the maximum fair and open competition practicable: The DOD contracts Paxen to provide intensive job readiness/placement programs to 18-60+ y/o adults on Oahu and East Hawaii. Paxen also provides another job readiness/placement program with 12 month follow-up to 14-21 y/o youth on Kauai and Hawaii under a contract with each county funded by the Work Investment Act with the State DLIR. Both programs use copyrighted course material published by Paxen. Coursework completion is followed with job search, placement, job coaching and in the WIA segment, close case management by Job Developers. Paxen's copyrighted program is called Forward March and the DOD will use this curriculum in its Civic Justice Corps program. Although many other agencies provide job training, vocational training and job placement, only the | |

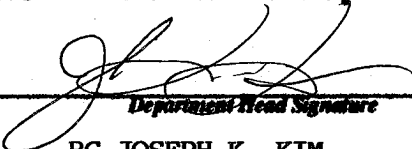
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Salvation Army (SA) on Hawaii comes close to duplicating Paxen's coordination, scheduling, monitoring and supervising community service work for their clients. The SA revealed this service only after an exhaustive search by the DOD for other agencies who could serve as providers. (See Exhibit I) But, the SA's history with the DOD as a contractor is spotty and the DOD has little confidence in them. (See Exhibit II.)

8. Describe the state agency's internal controls and approval requirements for the exempted procurement:
The DOD shall treat this procurement as if it was competitively procured. It shall be subject to regular monitoring and intensive communication between provider staff and DOD staff. Quarterly progress reports shall be mandated and due dates strictly adhered to by the contractor. Also, the Feds have assigned a Federal Project Officer who will oversee the entire project and several discussions have already taken place.
9. List the state agency personnel, by position title, who will be involved in the approval process and administration of the contract:
Ken Nakagawa, Program Specialist
10. Direct questions to (name & position): Ken Nakagawa
Phone number: 733-4219
e-mail address: knakagawa@dod.hawaii.gov

I certify that the information provided above is to the best of my knowledge true and correct.



Department Head Signature
BG JOSEPH K. KIM

Typed Name

8-9-2011

Date

NOTICE

The chief procurement officer is considering this request for exemption and, if there is good cause, the state intends to exempt the purchase as described in the request. Any inquiries regarding the purchase shall be directed to the contact person noted in item 10 of the request. Any concerns regarding the exemption shall be in writing and received by the chief procurement officer within seven days of the date the notice was first posted. Concerns shall be mailed to: Aaron Fujioka, Chief Procurement Officer, State Procurement Office, 1151 Punchbowl St., #230A, Honolulu, HI 96813.

Chief Procurement Officer's Comments:

Request is disapproved because it is inappropriate and action will be taken on procurement violation PVH No. 12-01.

☐ APPROVED ☒ DISAPPROVED ☐ NO ACTION

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Chief Procurement Officer Signature

10/13/2011
Date

Please ensure adherence to applicable administrative requirements.